UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

WKYC-TV, Inc.)	
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)	CASE 8-CA-39190
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AND)	
)	
)	
NATIONAL ASSOCIATION)	
OF BROADCAST EMPLOYEES)	
AND TECHNICIANS, LOCAL 42 A-W)	
COMMUNICATION WORKERS OF AMERICA,)	
AFL-CIO)	
)	

MOTION OF CLEAR CHANNEL OUTDOOR, INC., LEE ENTERPRISES, INC., AND STEPHENS MEDIA, LLC, TO FILE A BRIEF *AMICI CURIAE* IN SUPPORT OF WKYC-TV, INC.

Clear Channel Outdoor, Inc., Lee Enterprises, Inc., and Stephens Media, LLC, respectfully request leave to file the attached brief *amici curiae* in support of WKYC-TV, Inc.

Clear Channel Outdoor, Inc., a publicly traded New York Stock Exchange company, is an international media company and is the world's largest outdoor advertiser with over 800,000 out-of-home displays. Clear Channel Communications is also a world media leader with 1,225 radio stations in the United States and 240 radio stations international in three hundred markets, thirty-seven television stations, over nine hundred international websites. Various unions represent some of Clear Channel Outdoor, Inc.'s

employees. Clear Channel Outdoor, Inc., in some of its Collective Bargaining

Agreements, has agreed to union dues checkoff clauses. Clear Channel Outdoor, Inc.,

often, upon contract expiration, unilaterally discontinues payroll deduction of union dues.

Clear Channel Outdoor, Inc., believes this collective bargaining economic weapon has

been a useful catalyst in helping the parties promptly reach new agreements.

Lee Enterprises, Inc., a publicly-traded New York Stock Exchange company, is a leading provider of local news, information, and advertising in primarily mid-sized markets, with forty-nine daily newspapers and a joint interest in four others, rapidly growing digital products, and nearly three hundred specialty publications in twenty-three states. Lee's newspapers have a circulation of 1.4 million daily and 1.7 million on Sunday, reaching more than 4 million readers daily. Lee's online sites attract nearly 16 million unique visits monthly, and Lee's weekly publications have a distribution of more than 4.5 million households. Lee Enterprises has negotiated Collective Bargaining Agreements with various unions representing some of its employees at its newspapers. Some, but not all, of these Collective Bargaining Agreements provide for payroll deduction of union dues pursuant to a specifically negotiated provision in the Collective Bargaining Agreement. For decades, Lee Enterprises, Inc., has counted on its right (nearly fifty years old) to unilaterally cease payroll deduction of union dues after a contract's expiration. Lee Enterprises believes this is one of its economic weapons that it may use as a positive force to achieve new Collective Bargaining Agreements.

Stephens Media, LLC, is a privately-held, diversified media-holding Company based in Las Vegas, Nevada, that publishes over eleven daily and sixty-four weekly newspapers in nine different states, primarily in Nevada and Arkansas. Stephens Media,

LLC, also publishes newspapers in Hawaii, Iowa, North Carolina, Oklahoma, Texas, Tennessee, and Washington. Stephens Media is expanding its interactive Internet business, where it operates online sites for its newspapers. Stephens Media has also exercised its long-standing right to discontinue payroll deduction of union dues after contract expiration. Most recently, in 2010, Stephens Media ceased deducting union dues after contract expiration; this unilateral and legal action (uncontested by the unions) served as the catalyst to achieve new Collective Bargaining Agreements with two unions.

Clear Channel Outdoor, Inc., Lee Enterprises Inc., and Stephens Media, LLC, believe that ALJ Wedekind made the correct, legal decision in this case, applying nearly fifty years of consistent precedent upholding the right of an employer to, upon contract expiration, unilaterally cease payroll deduction of union dues (also known as "checkoff"). In order to make the investments necessary to continue to maintain profitable businesses that provide good jobs to employees, American businesses need a predictable legal and regulatory environment.

The filing of exceptions in this case by the Acting NLRB General Counsel is nothing short of legal adventurism designed to convert a long-standing, legal, legitimate business decision into an unfair labor practice to help weak labor unions. The National Labor Relations Act was designed by Congress to allow parties in collective bargaining to use the economic weapons available to them to achieve Collective Bargaining Agreements. The Acting NLRB General Counsel is attempting to deprive employers of an economic weapon they have had at their disposal for nearly half a century for assistance in achieving Collective Bargaining Agreements.

Clear Channel Outdoor, Inc., Lee Enterprises, Inc., and Stephens Media, LLC, respectfully request leave to file the attached *amici* brief to provide input on this very important issue.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION OF CLEAR CHANNEL

OUTDOOR, INC., LEE ENTERPRISES, INC., AND STEPHENS MEDIA, LLC, TO FILE

A BRIEF AMICI CURIAE IN SUPPORT OF WKYC-TV, INC., was electronically

filed with the NLRB Executive Secretary and served this 20th day of

December 2011, on the following people in the following manner:

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